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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,063	05/31/2001	Michal Bujak	003399.P048	4007

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EXAMINER
NGUYEN BA, PAUL H

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/873,063	BUJAK ET AL.
	Examiner	Art Unit	
	Paul Nguyen-Ba	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 April 2002_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-39_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _32-39_ is/are allowed.

6)☒ Claim(s) _1-8,12,16-23,27 and 31_ is/are rejected.

7)☒ Claim(s) _9-11,13-15 and 25-30_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _4/10/2002_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This action is responsive to Information Disclosure Statement filed on April 10, 2002.

2.   Claims 1-39 have been considered. Claims 1, 16, 31, 32, and 36 are independent claims.

Priority

3.   This application clams benefit of provisional patent application 60/267,618 filed on

02/09/2001, under 35 U.S.C. 119(e).

Claim Objections

4.   Claim 27 is objected to because its language incorporates "The apparatus of claim 1," yet

claim 1 is directed towards a method. For the purposes of this office action, Examiner assumes

that claim 27 should depend from claim 16   Appropriate correction is required.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

6.   Claims 16-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter. The above-mentioned claims need to be directed towards a

"computer-implemented" method. The language of the claim raises a question as to whether the

claimed apparatus is directed merely to software per se (i.e. computer program) and not tied to a

technological art, environment, or machine which would result in a practical application

producing a concrete, useful, and tangible result to form the basis of statutory subject matter

under 35 U.S.C. §101.

To expedite a complete examination of the instant application the claims rejected under

35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of

applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 1, 3, 6-8, 12, 16, 18, 22-24, 27, and 31 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Pringle et al. ("Pringle"), U.S. Patent No. 6,470,306, in view of

McQueen, U.S. Patent No. 6,674,904.

With respect to **independent claims 1, 16, 31 and dependent claims 3, 6-8, 18, 22-24,**

Pringle teaches *converting the hypermedia documents* (i.e. HTML, SGML → col. 3 lines 15-46)

into a string containing a plurality of first values and a plurality of second values. A token

string is then created corresponding to *text segments* and *formatting code segments* (see col. 25

lines 57-67 *et seq.*). It is noted that Pringle does not specifically teach *applying a low-pass filter*

to the string and *determining location of the main content within the hypermedia document using*

the low-pass filter.

However, McQueen teaches the application of a filter (i.e. median, high pass, threshold,

minimum) to a reference image to help to define the boundaries and contours of the image by

pixel intensity threshold values (see Figs. 3-4j and col. 2 lines 48-67 *et seq.*)

It would have been obvious at the time the invention was made to a person having

ordinary skill in the art to modify the teaching of Pringle with the teachings of McQueen to

include application of a low-pass filter to a reference image for the purpose of helping to

determine the location boundaries of the main content within the hypermedia document.

With respect to **claims 12 and 27**, Pringle teaches varying a second value of the segments

based upon weight associated with it (see col. 7 lines 9-35).

9.   Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pringle

et al. ("Pringle"), U.S. Patent No. 6,470,306, in view of McQueen, U.S. Patent No. 6,674,904, in

further view of Schilit et al. ("Schilit"), U.S. Patent No. 6,670,968.

With respect to **claims 2 and 17**, Pringle, in view of McQueen, teaches the method and

apparatus with respect to claims 1 and 16 as discussed above, but do not specifically teach

coding the main content in a mobile device language. However, Schilit teaches the coding of

content in a mobile device language for display on a mobile device (see Abstract; col. 2 lines 25-35).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Pringle, in view of McQueen, with the teachings of Schilit to include coding of content in a mobile device language for the purpose of display on a mobile device.

10.   Claims 4, 5, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pringle et al. ("Pringle"), U.S. Patent No. 6,470,306, in view of McQueen, U.S. Patent No. 6,674,904, in further view of Chen et al. ("Chen"), U.S. Patent No. 6,507,856.

With respect to **claims 4, 19, and 20**, Pringle, in view of McQueen, do not specifically teach *parsing the hypermedia document to identify the plurality of formatting code segments and the plurality of text segments within the hypermedia document*. However, Chen teaches the parsing of XML documents for the purpose of automating document exchange and merging (see Abstract and col. 1 lines 35 *et seq.*) It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Pringle, in view of McQueen, with the teachings of Chen to include parsing the hypermedia document to identify the plurality of formatting code segments and the plurality of text segments within the hypermedia document for the purpose of automating document exchange and merging.

With respect to **claims 5 and 21**, Pringle, in view of McQueen, do not specifically teach *truncating a length of the one of the formatting code segments...exceeds a threshold tag length value.* However, Pringle, in view of McQueen teaches setting threshold values (see McQueen, col. 3 lines 4-10). It was commonly known to those of ordinary skill in the art and would have been obvious at the time the invention was made to a person having ordinary skill in the art to set a maximum threshold value and therefore truncating the length of one of the formatting code segments for the purpose of saving memory and bandwidth for web mobile display.

Allowable Subject Matter

11. Claims 9-11, 13-15, 25, 26, 28-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant's particular method and apparatus wherein the output of the low-pass filter represents a distribution of text density over the hypermedia document was not taught by, and would not have been obvious over, nor would have been fairly suggested by the prior art.

Applicant's particular method and apparatus of searching an output of the low-pass filter to find a position of a central peak corresponding to the highest text density within the hypermedia document; and determining a starting position of a high text density area and an ending position of the high text density area using the position of the central peak and a threshold text density value was not taught by, and would not have been obvious over, nor would have been fairly suggested by the prior art.

Applicant's particular method wherein the threshold text density value is determined empirically was not taught by, and would not have been obvious over, nor would have been fairly suggested by the prior art.

Applicant's particular method of applying a median filter to the string containing the plurality of first values and the plurality of second values to suppress high frequency signal oscillations associated with the string; and applying a moving average filter to an output of the median filter to combine a plurality of closely spaced text segments contained in the output of the median filter into a set of larger text segments was not taught by, and would not have been obvious over, nor would have been fairly suggested by the prior art.

Applicant's particular method of applying a rising and falling edge detector to an output of the median filter to identify the largest reasonably contiguous text segment within the set of larger segments was not taught by, and would not have been obvious over, nor would have been fairly suggested by the prior art.

Applicant's particular method wherein the largest reasonably contiguous text segment is identified using a threshold text value was not taught by, and would not have been obvious over, nor would have been fairly suggested by the prior art.

The dependent claims, being further limiting to the independent claims, definite and enabled by the Specification are also allowed.

The closest prior art, McQueen teaches the application of a filter (i.e. median, high pass, threshold, minimum) to a reference image to help to define the boundaries and contours of the image by pixel intensity threshold values (see Figs. 3-4j and col. 2 lines 48-67 *et seq.*). The closest prior art fails to anticipate or render Applicant's limitations above as obvious.

12.   Claims 32-39 are allowed because they incorporate limitations that were not taught by,

and would not have been obvious over, nor would have been fairly suggested by the prior art as

discussed above.

Conclusion

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094.

The examiner can normally be reached from 10:30 am - 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER